

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV707248737US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 14, 2005 Signature: Staci Harris

(Staci Harris)

Docket No.: 05542/071002  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Robert L. Horton et al.

Application No.: 10/620,041

Art Unit: 1712

Filed: July 15, 2003

Examiner: Charles R. Richard

For: SURFACTANT-POLYMER COMPOSITIONS  
FOR ENHANCING THE STABILITY OF  
VISCOELASTIC-SURFACTANT BASED  
FLUID

**UNAVAILABILITY OF INVENTOR PETITION UNDER 37 C.F.R. § 1.47**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated May 13, 2005, please consider the following reply.

The application lists seven inventors: Robert L. Horton, Bethicia B. Prasek, Frederick B. Growcock, David Kippie, John W. Vian, Kamila B. Abdur-Rahman, and Morris Arvie, Jr. A signed Declaration for Robert L. Horton, Bethicia B. Prasek, Frederick B. Growcock, David Kippie, John W. Vian, and Morris Arvie, Jr. in compliance with 37 CFR § 1.68 was submitted with the filing of the application on July 15, 2003. Kamila B. Abdur-Rahman signed that Declaration but failed to date her signature. After a diligent effort, the petitioner has been unable to obtain a signed and dated supplemental Declaration from Kamila B. Abdur-Rahman. The only information on file for Kamila B. Abdur-Rahman is her last known residential address (listed below). A chronological proof of the pertinent facts relating to the petitioners efforts to obtain the supplemental Declaration is as follows:

Tab No.	Date(s)	Description
Tab 1	Assignment signed July 1, 2003	Assignment of rights to the invention known as "Surfactant-Polymer Compositions For Enhancing the Stability of

Tab No.	Date(s)	Description
		Viscoelastic-Surfactant Based Fluid" to M-I L.L.C. by Kamila B. Abdur-Rahman
Tab 2	Declaration filed July 15, 2003	Signed Declaration of Robert L. Horton, Bethicia B. Prasek, Frederick B. Growcock, David Kippie, John W. Vian, and Morris Arvie, Jr. and undated Declaration of Kamila B. Abdur-Rahman accompanied the filing of the patent application titled "Surfactant-Polymer Compositiions For Enhancing the Stability of Viscoelastic-Surfactant Based Fluid," later designated by the U.S. Patent and Trademark Office as U.S. Patent Serial No. 10/620,041
Tab 3	Letter sent September 21, 2005	Certified letter containing new Declaration sent to Kamila B. Abdur-Rahman at 12707 Bellaire Blvd. No. 303, Houston, Texas 77072. Certified letter returned to sender as "Attempted Not Known."

The last known residential address of Kamila B. Abdur-Rahman is:

12707 Bellaire Blvd. No. 303,  
Houston, Texas 77072.

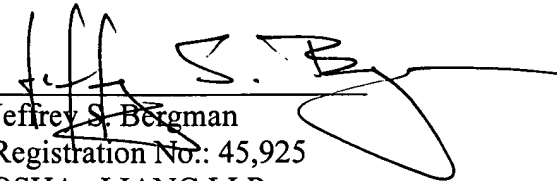
No other addresses for Kamila B. Abdur-Rahman are known.

In view of the petitioner's diligent attempts to obtain the signature of the unavailable inventor, enclosed documentation, and pursuant to 37 C.F.R. § 1.47, the petitioner requests that that the referenced application be examined without the signed Declaration of Kamila B. Abdur-Rahman.

A credit card form SB-08 for the petition fee is enclosed along with this Petition. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 05542/071002).

Dated: November 14, 2005

Respectfully submitted,

By 

Jeffrey S. Bergman  
Registration No.: 45,925  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)  
Attorney for Applicant

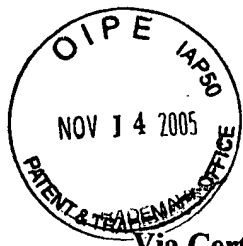
Attachments

**Mi SWACO**

M-I LLC

5950 North Course · Houston, Texas 77072

Tel: 281-561-1300 · Fax: 281-561-1452 · [www.miswaco.com](http://www.miswaco.com)



Via Certified Mail.

Writer's Direct Dial:

281-561-1451

[Lbardin@miswaco.com](mailto:Lbardin@miswaco.com)

September 21, 2005

Ms. Kamila B. Abdur-Rahman  
12707 Bellaire Blvd. #303  
Houston, TX 77072

Re: *U.S. Patent Application No. 10/620,041*  
*Entitled: Surfactant-Polymer Compositions for Enhancing the Stability of Viscoelastic-Surfactant Based Fluid*  
*Inventors: Robert Horton, Bethicia B. Prasek, Frederick Growcock, David P. Kippie, John Vian, Kamila Abdur-Rahman, Morris Arvie*  
*M-I L.L.C. Ref: PA-00146US*


Dear Ms. Abdur-Rahman:

We write you regarding the above-referenced U.S. application in which you are listed as an inventor. In July 2003, when the application was filed, you as well as the other inventors signed the Declaration. However, we have recently received a notice from the Patent Office that your signature is not dated, therefore they are requiring we submit a new declaration with a new signature and date.

We have enclosed a new Declaration for your execution as well as a copy of the application and original Declaration you signed. Please sign and date the new declaration and forward to us in the enclosed return FedEx envelope as soon as possible.

Please do not hesitate to contact me or Carter White at 281-561-1450 or [cjwhite@miswaco.com](mailto:cjwhite@miswaco.com) should you have any questions. We appreciate your help with this matter.

Regards,

  
Leah S. Bardin  
Patent Paralegal

Encl.

cc: Carter J. White, Ph.D.

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kamila B. Abdur-Rahman  
12707 Bellaire Blvd.  
#303  
Houston TX 77072

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

70993400 0016 88795899

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**MISWACO**

Legal Dept. - Patents  
5950 North Course Drive  
Houston, Texas 77072

Ms. Kamila B. Abdur-Rahman  
12707 Bellaire Blvd. #303  
Houston, TX 77072

ATTEMPTED NOT KNOWN  
RETURN TO  
SENDER

7099 3400 0016 8879 5899



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. \_\_\_\_\_, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_ 0

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SURFACTANT-POLYMER COMPOSITIONS FOR ENHANCING THE STABILITY OF VISCOELASTIC-SURFACTANT BASED FLUID**

the specification of which was filed on July 15, 2003 as Application No. 10/620,041.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **Osha · Liang LLP**, 1221 McKinney St., Suite 2800, Houston, Texas 77010, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☐ no such U.S. provisional applications have been filed.

☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/319,575	September 25, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please mail all correspondence to Jeffrey S Bergman, whose address is:

**Osha · Liang LLP**  
1221 McKinney St., Suite 2800  
Houston, Texas 77010

Please direct telephone calls to: Jeffrey S. Bergman at (713) 228-8600.

Please direct facsimiles to: (713) 228-8778

Full name of sole or first inventor <b>Robert L. Horton</b>	
Sole or first inventor's signature	Date
Residence <b>Sugar Land, Texas</b>	
Citizenship <b>US</b>	
Mailing Address  <b>1103 Springdale Ct. Sugar Land, Texas 77479</b>	

Full name of second inventor, if any <b>Bethicia B. Prasek</b>	
Second inventor's signature	Date
Residence <b>Houston, Texas</b>	
Citizenship <b>US</b>	
Mailing Address  <b>2215 Avenida La Quinta, Apt. 903 Houston, Texas 77077</b>	

Full name of third inventor, if any <b>Frederick B. Growcock</b>	
Third inventor's signature	Date
Residence <b>Houston, Texas</b>	
Citizenship <b>US</b>	
Mailing Address  <b>1514 Dodd Lane Houston, Texas 77077</b>	

Full name of fourth inventor, if any <b>David P. Kippie</b>	
Fourth inventor's signature	Date
Residence <b>Katy, Texas</b>	
Citizenship <b>US</b>	
Mailing Address  <b>3610 Perdarnales Trails Lane Katy, Texas 77450</b>	



Full name of fifth inventor, if any <b>John W. Vian</b>	
Fifth inventor's signature	Date
Residence <b>Deer Park, Texas</b>	
Citizenship <b>US</b>	
Mailing Address  <b>3317 Greenwood Pl. Deer Park, Texas 77536</b>	

Full name of sixth inventor, if any <b>Kamila B. Abdur-Rahman</b>	
Sixth inventor's signature	Date
Residence <b>Houston, Texas</b>	
Citizenship <b>US</b>	
Mailing Address  <b>12707 Bellaire Blvd. #303 Houston, Texas 77072</b>	

Full name of seventh inventor, if any <b>Morris Arvie</b>	
Seventh inventor's signature	Date
Residence <b>Houston, Texas</b>	
Citizenship <b>US</b>	
Mailing Address  <b>11655 Briar Forest #83 Houston, Texas 77077</b>	

Full name of eighth inventor, if any	
Eighth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare as evidenced by my signature that:

My residential address, mailing address and citizenship are as stated below next to my name,

I believe that the below named inventor(s) are the original, first and joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SURFACTANT-POLYMER COMPOSITIONS FOR ENHANCING THE STABILITY OF VISCOELASTIC-SURFACTANT BASED FLUID

the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information that may be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

\*\*\*\*\*

PRIOR UNITED STATES PROVISIONAL APPLICATION(S):

☒ I hereby claim domestic priority benefits under Title 35, United States Code, §119(e) of any provisional application(s) for patent listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior provisional application and the national or PCT international filing date of this application:

60/ 319,575

September 25, 2002

copending

(Application Serial No.)

(Filing Date)

(Status)

\*\*\*\*\*

I hereby appoint the following, each associated with Customer Number 27551, to prosecute this application and to transact all business in the Patent and Trademark Office connected with this application:

STEPHEN H. CAGLE, Attorney (Reg. No. 26,445), CARTER J. WHITE, Attorney (Reg. No. 41374), each an attorney or agent with the law firm of HOWREY SIMON ARNOLD & WHITE, LLP, and each associated with Customer Number 27551, as its attorney or agent so long as they remain with such law firm.

\*\*\*\*\*

I direct that:

All correspondence be directed to:

Customer No. 27551 Place label here →

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Dr.  
Houston, TX 77057



All telephone calls are to be directed to: Carter White, at telephone number: 713 268 1372.

\*\*\*\*\*

**I hereby declare, as evidenced by my signature below, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.**

\*\*\*\*\*

First Inventor's signature

*Robert L. Horton*

*07/01/2003*  
Date

First Inventor's Full Name  
(Printed)

Robert L. HORTON

Residential Address

1103 Springdale Ct.  
Sugar Land, TX 77479  
USA

Mailing Address

Same as above

Citizenship

US

\*\*\*\*\*

Second Inventor's signature  
(if any)

Bethia B. Prasek 7-1-2003  
Date

Second Inventor's Full Name Bethicia  
(Printed) Bethia PRASEK

Residential Address 2215 Avendia La Quinta, Apt 903  
Houston, TX 77077  
USA

Mailing Address Same as above

Citizenship US

\*\*\*\*\*

Third Inventor's signature  
(if any)

Frederick B. Growcock 7-1-2003  
Date

Third Inventor's Full Name  
(Printed) Frederick B. GROWCOCK

Residential Address 1514 Dodd Lane  
Houston, TX 77077  
USA

Mailing Address Same as above

Citizenship US

\*\*\*\*\*

Fourth Inventor's signature  
(if any)

David Kippie 7/1/03  
Date

Fourth Inventor's Full Name  
(Printed) David KIPPIE

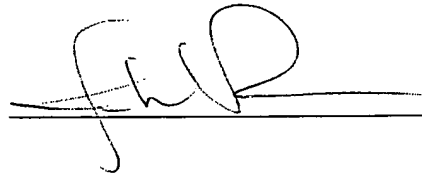
Residential Address 3610 Pedernales Trails Ln.  
Katy, TX 77450  
USA

Mailing Address Same as above

Citizenship US

\*\*\*\*\*

Fifth Inventor's signature  
(if any)



1 July 2003  
Date

Fifth Inventor's Full Name  
(Printed)

John W. VIAN

Residential Address

3317 Greenwood Pl.  
Deer Park, TX 77536  
USA

Mailing Address

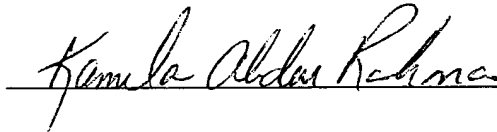
Same as above

Citizenship

US

\*\*\*\*\*

Sixth Inventor's signature  
(if any)



Date

Sixth Inventor's Full Name  
(Printed)

Kamila B. ABDUR-RAHMAN

Residential Address

12707 Bellaire Blvd. # 303  
Houston, TX 77072  
USA

Mailing Address

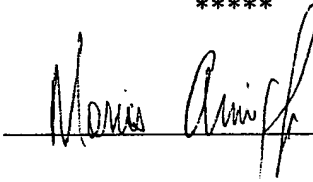
Same as above

Citizenship

USA

\*\*\*\*\*

Seventh Inventor's signature  
(if any)



7/11/03

Date

Seventh Inventor's Full Name  
(Printed)

Morris ARVIE, Jr.

Residential Address

11655 Briar Forest, #83  
Houston, TX 77077  
USA

Mailing Address

Same as above

Citizenship

US



Signature: Robert Horton Date: 07/01/2003  
 Printed Name: Robert L. Horton

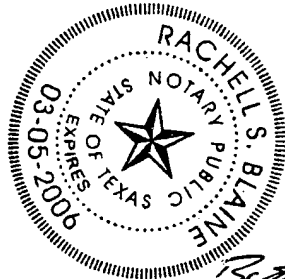
COUNTY OF Harris )  
 STATE OF Texas ) ss.

BEFORE ME, the undersigned authority, on this 1<sup>st</sup> day of July, 2003, personally appeared Robert Horton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]



\*\*\*\*\*

Signature: Bethicia Prasek Date: July 1, 2003  
 Printed Name: Bethicia Prasek

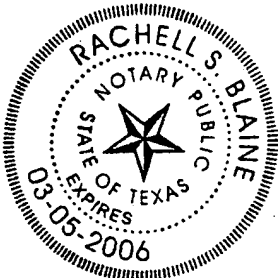
COUNTY OF Harris )  
 STATE OF Texas ) ss.

BEFORE ME, the undersigned authority, on this 1<sup>st</sup> day of July, 2003, personally appeared Bethicia Prasek, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same of her own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]



\*\*\*\*\*

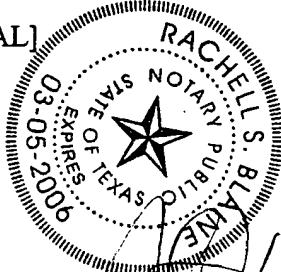
Signature: Frederick B. Growcock Date: 7-1-2003  
 Printed Name: Frederick B. Growcock Growcock

COUNTY OF Harris )  
 STATE OF Texas ) ss.

BEFORE ME, the undersigned authority, on this 1<sup>st</sup> day of July, 2003, personally appeared Fred Growcock, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine  
 Notary or Consular Officer

[SEAL]



\*\*\*\*\*

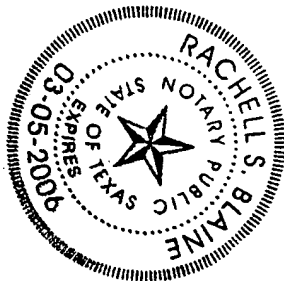
Signature: David Kippie Date: 7/1/03  
 Printed Name: David Kippie

COUNTY OF Harris )  
 STATE OF Texas ) ss.

BEFORE ME, the undersigned authority, on this 1<sup>st</sup> day of July, 2003, personally appeared David Kippie, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine  
 Notary or Consular Officer

[SEAL]





\*\*\*\*\*

Signature: [Signature]

Date: 1 July 2003

Printed Name: John W. Vian

COUNTY OF Harris )

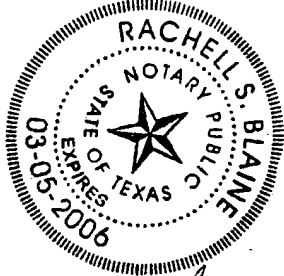
STATE OF Texas ) ss.

BEFORE ME, the undersigned authority, on this 1<sup>st</sup> day of July, 2003, personally appeared John Vian, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]



\*\*\*\*\*

Signature: Kamila Abdur-Rahman

Date: July 1, 2003

Printed Name: Kamila B. Abdur-Rahman

COUNTY OF Harris )

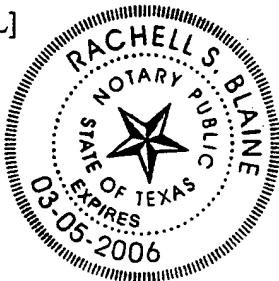
STATE OF Texas ) ss.

BEFORE ME, the undersigned authority, on this 1<sup>st</sup> day of July, 2003, personally appeared Kamila Abdur-Rahman known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]



\*\*\*\*\*

Signature: Morris Arvie, Jr. Date: 7/1/03  
Printed Name: Morris Arvie, Jr.

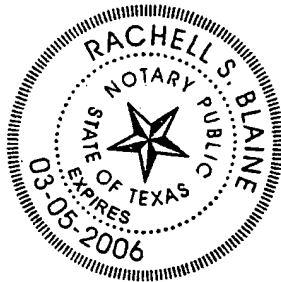
COUNTY OF Harris )  
STATE OF Texas ) ss.

BEFORE ME, the undersigned authority, on this 1 day of July, 2003, personally appeared Morris Arvie, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]



\*\*\*\*\*